

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TERRENCE GARRETT,

Plaintiff,
vs.

CIVIL ACTION NO. 09-13141
DISTRICT JUDGE AVERN COHN
MAGISTRATE JUDGE DONALD A. SCHEER

STATE TROOPER ADAMS, et.al.,

Defendants.

_____ /

ORDER DENYING MOTION TO SUBPOENA DOCUMENTS
AND VIDEO RECORDINGS

This cause comes before the Court on Plaintiff's Motion to Subpoena Documents and Audio/Video Recordings, dated October 27, 2009 (Docket #16). On November 2, 2009, the Court Ordered that Plaintiff file an Amended Complaint within 30 days. Plaintiff was to provide the Court with the names and updated addresses of each defendant named in the Amended Complaint, so that service by the United States Marshal may be effected. Plaintiff's Motion to Subpoena Documents and Audio/Video Recordings is DENIED since service of process has not yet commenced and the viability of Plaintiff's claim remains undetermined. If this case survives summary judgment, Plaintiff may renew this motion.

SO ORDERED.

s/Donald A. Scheer
DONALD A. SCHEER
UNITED STATES MAGISTRATE JUDGE

DATED: November 6, 2009

CERTIFICATE OF SERVICE

I hereby certify on November 6, 2009 that I electronically filed the foregoing paper with the Clerk of the Court sending notification of such filing to all counsel registered electronically. I hereby certify that a copy of this paper was mailed to the following non-registered ECF participants on November 6, 2009: **Terrence Garrett.**

s/Michael E. Lang
Deputy Clerk to
Magistrate Judge Donald A. Scheer
(313) 234-5217